

**BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS**

**IN THE MATTER OF:     JOHN G. MATHEWS, D.D.S.**

**ORDER**

On this 18th day of September, 2009 comes on for hearing the matter of John G. Mathews, DDS. The Arkansas State Board of Dental Examiners appeared together by a quorum of its membership, together with its attorney, William H. Trice. John G. Mathews, DDS appeared together with his attorney, Edward H. Schieffler. From the pleadings and agreement of the parties, the Board finds that:

**I**

The Board entered an Order and Notice of Hearing dated 29 May 2008, alleging that John G. Mathews, John G. Mathews, DDS, had violated the Dental Practice Act, more specifically A.C.A. §17-82-316(c)(3), that is, he exhibited professional incompetency by over-prescribing schedule medication; and violation of A.C.A. §17-82-316(c)(6), that is he violated a Regulation of the Board, more specifically Regulation X, Section M, by prescribing schedule medication for non-dental reasons.

**II**

A disciplinary hearing dated 29 May 2008 was held on 16 January 2009. At that time, John G. Mathews, DDS, was ordered by the Arkansas State Board of Dental Examiners as follows:

- A.     John G. Mathews, D.D.S. would attend and complete the Vanderbilt course on prescribing schedule medication.
- B.     John G. Mathews, D.D.S. would cease phoning in any prescriptions for schedule medication.
- C.     John G. Mathews, D.D.S. when prescribing schedule medication, would use only

duplicate prescriptions and would provide one of the copies to the Board for its review.

- D. John G. Mathews, D.D.S. would attend such meetings of the Board as required.

### III.

The Arkansas State Board of Dental Examiners entered an Emergency Order of Suspension of the Drug Enforcement Administration (DEA) permit of John G. Mathews, D.D.S., on 19 May 2009. Said document further alleged that John G. Mathews, D.D.S. had violated the Order of the Board given on 16 January 2009, more specifically, it alleged that he wrote and called in prescriptions for himself and his wife and did not write duplicate prescriptions, and did not provide copies of the prescriptions to the Board as required. The hearing on said matters was scheduled for 18 September 2009.

### IV.

John G. Mathews, D.D.S., pursuant to A.C.A. §25-15-208(b) of the Administrative Procedure Act, makes the following offer to the Arkansas State Board of Dental Examiners to resolve all issues pending before the Board, as follows:

- A. The Board would not proceed with the disciplinary hearing involving the allegations contained in the original Order and Notice of Hearing of 29 May 2008, and Emergency Order of Suspension and Notice of Hearing dated 19 May 2009.
- B. John G. Mathews, D.D.S., will and has surrendered his Drug Enforcement Administration (DEA) permit and will not prescribe schedule medication in the future.
- C. John G. Mathews, D.D.S., would agree not to re-apply for his DEA permit in the future without first appearing before the Board and obtaining the Board's approval

to do the same.

- D. John G. Mathews, D.D.S., would reimburse the Board within 60 days the cost of the investigation and hearing of \$2,737.69.


V.

The Arkansas State Board of Dental Examiners pursuant to A.C.A. §25-15-208(b) of the Administrative Procedure Act, accepts the offer of John G. Mathews, D.D.S., finding that it protects the health and safety of the citizens of Arkansas.

**WHEREFORE, it is considered, ordered, and adjudged** that the agreement of the parties stated in Paragraph IV above is a fair and equitable agreement and protects the citizens of Arkansas and the rights of John G. Mathews, D.D.S., and adopts said Agreement as the Board's own Order.


IT IS SO ORDERED.


The Arkansas State Board of Dental Examiners

  
Robert L. Jolly, Sr., D.D.S., President

3-19-10

Date

  
Edward H. Schieffler,  
Attorney for John G. Mathews, DDS

  
John G. Mathews, DDS  
Approved:

  
William H. Trice, III  
Attorney for the Arkansas State Board of Dental Examiners

**BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS**

**IN THE MATTER OF: JOHN G. MATHEWS, D.D.S.**

**ORDER**

On this 18th day of March, 2011, comes on for hearing the matter of John G. Mathews, D.D.S. The Arkansas State Board of Dental Examiners appeared together by a quorum of its membership, together with its attorney, William H. Trice. John G. Mathews, D.D.S., appeared together with his attorney, Edward H. Schieffler. From the pleadings and agreement of the parties, the Board finds that:

**I**

The Board entered an Order dated 19 March 2010, ordering John G. Mathews, D.D.S., to do the following:

- a. John G. Mathews, D.D.S., will and has surrendered his Drug Enforcement Administration (DEA) permit and will not prescribe schedule medication in the future.
- b. John G. Mathews, D.D.S., would agree not to re-apply for his DEA permit in the future without first appearing before the Board and obtaining the Board's approval to do the same.
- c. John G. Mathews, D.D.S., would reimburse the Board by the end of November 2009 the cost of the investigation and hearing of \$2,737.69.

**II**

John G. Mathews, D.D.S., appears before the Board and presents proof that he has complied with Paragraph 1A, 1B, and 1C above. John G. Mathews requests permission of the Board to apply for his Drug Enforcement Administration (DEA) permit, authorizing him to prescribe Schedule medication. John G. Mathews, D.D.S., further offers that, if granted his DEA permit, he will only prescribe Schedule medication by written prescriptions, done in duplicate form, and will not phone

in any Schedule medication prescriptions. He further agrees that he will send to the Board for a period of six months, a copy of the duplicate prescriptions for the Board's review.

III.

The Board finds that the offer of John G. Mathews, D.D.S., protects the health and safety of the citizens of Arkansas and agrees with the same.

**WHEREFORE, it is considered, ordered, and adjudged** that John G. Mathews, D.D.S., may apply for his Drug Enforcement Administration (DEA) permit. The Board further orders that John G. Mathews, D.D.S., will only prescribe Schedule medication by written prescription in duplicate form, and that he will send one of the copies to the Arkansas State Board of Dental Examiners on a monthly basis for at least six months, to be released from this Agreement by the Board's Order and approval.

The Board further orders that John G. Mathews, D.D.S., will not call in any Schedule medication prescriptions.

IT IS SO ORDERED.

The Arkansas State Board of Dental Examiners

H. Warren Whitis D.D.S.  
H. Warren Whitis, D.D.S., President

3-29-2011  
Date

Approved:

[Signature]  
William H. Trice, III  
Attorney for the Arkansas State Board of Dental Examiners